

## Message Text

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ACTION OES-09

INFO OCT-01 EA-10 ISO-00 ACDA-12 CIAE-00 INR-10 IO-13  
L-03 NSAE-00 NSC-05 EB-08 NRC-05 SOE-02 DODE-00  
DOE-15 SS-15 SP-02 CEQ-01 PM-05 SAS-02 /118 W  
-----040191 120633Z /21  
R 110701Z AUG 78  
FM AMEMBASSY MANILA  
TO SECSTATE WASHDC 9942

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E.O. 11652: N/A  
TAGS: ENRG, TECH, MNUC, IAEA, RP  
SUBJECT: CONFIRMATION OF PHYSICAL SECURITY PROTECTION  
TO BE ACCORDED US NUCLEAR EXPORTS

REF: STATE 190361

1. REFTEL'S DIPLOMATIC NOTE DELIVERED TO OFFICE OF  
ECONOMIC AFFAIRS OF MINISTRY OF FOREIGN AFFAIRS AUGUST 10.  
COPY WAS ALSO SHOWN TO DR. IBE, COMMISSIONER OF  
PHILIPPINE ATOMIC ENERGY COMMISSION. AS PAEC IS CENTRAL  
AGENCY IN NUCLEAR AREA, AND MFA ONLY A CONDUIT, DIS-  
CUSSIONS BASED ON TALKING POINTS HELD WITH DR. IBE.

2. IBE'S INITIAL REACTION TO NOTE WAS OVERALL POSITIVE,  
THOUGH ON SOME POINTS HE DID EXPRESS RESERVATIONS. HE  
STATED THAT WHILE GOP HAD NO PROBLEM WITH IAEA DOCUMENT  
INFCIRC/225/REVISION 1, THEY WERE NOT PREPARED TO AC-  
CEPT WITHOUT QUESTION ANY FURTHER IAEA REVISION OF  
PHYSICAL PROTECTION REQUIREMENTS. HE EXPRESSED CONCERN  
THAT PHILIPPINE'S WRITTEN CONFIRMATION WOULD OBLIGATE  
THE GOP, OR AT LEAST CREATE A PRECEDENT, TO ACCEPT FUTURE  
US REQUESTS BASED ON FURTHER IAEA REVISIONS. HE SUGGEST-  
ED AS ALTERNATIVE LISTING OF MINIMUM MEASURES BASED ON  
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REVISION 1 WITHOUT SPECIFICALLY MENTIONING IAEA. EMBOFF  
POINTED OUT THAT WRITTEN CONFIRMATION REQUESTED BY USG  
APPLIED ONLY TO REVISION 1, WHICH RP HAD ALREADY ACCEPTED,  
AND THAT ANY OTHER REVISION WOULD BE DEALT WITH AT THAT  
TIME.

3. ANOTHER POTENTIAL PROBLEM IBE NOTED INVOLVED WORDING

IN DIP NOTE, "PROVIDING AS A MINIMUM A LEVEL OF PROTECTION COMPARABLE TO THAT SET FORTH IN" IAEA DOCUMENT. IBE QUESTIONED USE OF WORD "COMPARABLE" AS INEXACT, LEAVING TOO MUCH OPEN TO AN INTERPRETATION HE FEARED COULD PROVE DETRIMENTAL TO PHILIPPINES. "WHO WOULD DETERMINE WHAT WAS COMPARABLE AND WHAT WAS NOT" HE QUERIED. ANSWERING HIS OWN RHETORICAL QUESTION, HE STATED, "THE US OF COURSE."

4. EMBASSY REQUESTS CLARIFICATION ON THIS POINT. UNDER GUIDELINES SET FORTH IN PARA 11 OF REFTTEL, WOULD OMISSION OF WORDS "COMPARABLE TO THAT" RESULT IN AMBIGUITY UNDER LAW?

5. COMMENT: IN ANY CASE, REACTION OF IBE WAS INITIAL MUSINGS OF DEVIL'S ADVOCATE, AND OFFICIAL POSITION HAS YET TO BE WORKED OUT WITHIN THE PAEC AND MINISTRY OF ENERGY. BUT GIVEN IBE'S KEY POSITION, HIS INITIAL REACTION COULD BE REFLECTIVE OF POSSIBLE GOP RESPONSE. END COMMENT. MURPHY

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PHYSICAL SECURITY, SECURITY, EXPORTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 11 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978MANILA13899  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780330-0079  
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**Legacy Key:** link1978/newtext/t19780874/aaaacjwi.tel  
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**Litigation History:**  
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**Message ID:** a7d4f264-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION OES  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 STATE 190361  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 04 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1769316  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CONFIRMATION OF PHYSICAL SECURITY PROTECTION TO BE ACCORDED US NUCLEAR EXPORTS  
**TAGS:** ENRG, TECH, MNUC, RP, IAEA  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/a7d4f264-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
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